



Sen. James F. Clayborne, Jr.

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09800SB1409sam001

LRB098 09872 OMW 42972 a

1 AMENDMENT TO SENATE BILL 1409

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1409 on page 7, by  
3 inserting the following immediately below line 23:

4 "Section 15. The Prevailing Wage Act is amended by changing  
5 Section 2 as follows:

6 (820 ILCS 130/2) (from Ch. 48, par. 39s-2)

7 Sec. 2. This Act applies to the wages of laborers,  
8 mechanics and other workers employed in any public works, as  
9 hereinafter defined, by any public body and to anyone under  
10 contracts for public works. This includes any maintenance,  
11 repair, assembly, or disassembly work performed on equipment  
12 whether owned, leased, or rented.

13 As used in this Act, unless the context indicates  
14 otherwise:

15 "Public works" means all fixed works constructed or  
16 demolished by any public body, or paid for wholly or in part

1 out of public funds. "Public works" as defined herein includes  
2 all projects financed in whole or in part with bonds, grants,  
3 loans, or other funds made available by or through the State or  
4 any of its political subdivisions, including but not limited  
5 to: bonds issued under the Industrial Project Revenue Bond Act  
6 (Article 11, Division 74 of the Illinois Municipal Code), the  
7 Industrial Building Revenue Bond Act, the Illinois Finance  
8 Authority Act, the Illinois Sports Facilities Authority Act, or  
9 the Build Illinois Bond Act; loans or other funds made  
10 available pursuant to the Build Illinois Act; loans or other  
11 funds made available pursuant to the Riverfront Development  
12 Fund under Section 10-15 of the River Edge Redevelopment Zone  
13 Act; or funds from the Fund for Illinois' Future under Section  
14 6z-47 of the State Finance Act, funds for school construction  
15 under Section 5 of the General Obligation Bond Act, funds  
16 authorized under Section 3 of the School Construction Bond Act,  
17 funds for school infrastructure under Section 6z-45 of the  
18 State Finance Act, and funds for transportation purposes under  
19 Section 4 of the General Obligation Bond Act. "Public works"  
20 also includes (i) all projects financed in whole or in part  
21 with funds from the Department of Commerce and Economic  
22 Opportunity under the Illinois Renewable Fuels Development  
23 Program Act for which there is no project labor agreement; (ii)  
24 all work performed pursuant to a public private agreement under  
25 the Public Private Agreements for the Illiana Expressway Act;  
26 and (iii) all projects undertaken under a public-private

1 agreement under the Public-Private Partnerships for  
2 Transportation Act. "Public works" also includes all projects  
3 at leased facility property used for airport purposes under  
4 Section 35 of the Local Government Facility Lease Act. "Public  
5 works" also includes the construction of a new wind power  
6 facility by a business designated as a High Impact Business  
7 under Section 5.5(a)(3)(E) of the Illinois Enterprise Zone Act.  
8 "Public works" does not include work done directly by any  
9 public utility company, whether or not done under public  
10 supervision or direction, or paid for wholly or in part out of  
11 public funds. "Public works" does not include projects  
12 undertaken by the owner at an owner-occupied single-family  
13 residence or at an owner-occupied unit of a multi-family  
14 residence.

15 "Construction" means all work on public works involving  
16 laborers, workers or mechanics. This includes any maintenance,  
17 repair, assembly, or disassembly work performed on equipment  
18 whether owned, leased, or rented.

19 "Locality" means the county where the physical work upon  
20 public works is performed, except (1) that if there is not  
21 available in the county a sufficient number of competent  
22 skilled laborers, workers and mechanics to construct the public  
23 works efficiently and properly, "locality" includes any other  
24 county nearest the one in which the work or construction is to  
25 be performed and from which such persons may be obtained in  
26 sufficient numbers to perform the work and (2) that, with

1 respect to contracts for highway work with the Department of  
2 Transportation of this State, "locality" may at the discretion  
3 of the Secretary of the Department of Transportation be  
4 construed to include two or more adjacent counties from which  
5 workers may be accessible for work on such construction.

6 "Public body" means the State or any officer, board or  
7 commission of the State or any political subdivision or  
8 department thereof, or any institution supported in whole or in  
9 part by public funds, and includes every county, city, town,  
10 village, township, school district, irrigation, utility,  
11 reclamation improvement or other district and every other  
12 political subdivision, district or municipality of the state  
13 whether such political subdivision, municipality or district  
14 operates under a special charter or not.

15 The terms "general prevailing rate of hourly wages",  
16 "general prevailing rate of wages" or "prevailing rate of  
17 wages" when used in this Act mean the hourly cash wages plus  
18 fringe benefits for training and apprenticeship programs  
19 approved by the U.S. Department of Labor, Bureau of  
20 Apprenticeship and Training, health and welfare, insurance,  
21 vacations and pensions paid generally, in the locality in which  
22 the work is being performed, to employees engaged in work of a  
23 similar character on public works.

24 (Source: P.A. 96-28, eff. 7-1-09; 96-58, eff. 1-1-10; 96-186,  
25 eff. 1-1-10; 96-913, eff. 6-9-10; 96-1000, eff. 7-2-10; 97-502,  
26 eff. 8-23-11.)".